



U.S. Department of Justice

United States Attorney
Western District of Texas

JOHNNY SUTTON
United States Attorney

601 NW Loop 410 STE 600
San Antonio, Texas 78216

(210)384-7400
FAX: (210)384-7474

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Contact: Mark Lane
Chief, Austin Division
(512) 916-5858
PAO Daryl Fields
(210) 384-7440

FORMER BANK EMPLOYEES SENTENCED FOR THEFT FROM A BANK

(AUSTIN, TEXAS) United States Attorney Johnny Sutton announced today that a federal judge sentenced two former Austin bank employees to 70 months in federal prison and ordered them to pay \$2,638,702 restitution for stealing money from their employer.

Appearing before United States District Judge Sam Sparks on October 24, 2002, 48-year-old **ANNETTE FRANCES PATRICK** and 47-year-old **GWENDOLYN A. WHEELER-McCAMMON** pled guilty to one count of theft, embezzlement and misapplication by a bank employee in violation of Title 18, United States Code section 656.

From in or about 1979 and continuing until on or about April 17, 2002, the defendants used their respective positions with various financial institutions to perpetuate a scheme to steal cash money from three vaults making up the downtown banking center. The scheme was discovered by Bank of America officials on April 17, 2002 although the defendants had worked for numerous financial institutions which were eventually succeeded, by merger or purchase, by Bank of America, N.A.. These predecessor financial institutions include, NationsBank, NCNB Bank, First Republic Bank, Interfirst Bank and Austin National Bank.

"These defendants violated the trust of bank customers and fellow employees to provide honest service," stated Sutton. Noting the severity of the crime Sutton added, "The U.S. Attorney's Office will not hesitate to prosecute white collar criminals. I am pleased that today's sentences reflect the serious nature of this offense."

Patrick started working for Bank of America, N.A. in 1975 as a teller. In 1982, she was promoted to teller manager for the Main Branch. In 1996, Patrick began working as the Customer Service Manager. As the Customer Service Manager, Patrick was responsible for operations at both the Main Branch and the two Motor Banks. The only supervisory position higher than Patrick's was the Banking Center Manager.

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Wheeler-McCammon also started working as a teller for Bank of America, N.A. in 1975. Shortly after being hired, Wheeler-McCammon was promoted to teller supervisor for Motor Bank One. In 1995, Wheeler-McCammon became the teller manager for Motor Bank Two. As a result, Wheeler-McCammon supervised operations and the vault at Motor Bank Two.

In order to cover up and conceal the scheme, the defendants used a variety of methods to deceive the financial institutions for which they worked. Specifically, Patrick used her position as Customer Service Manager to provide cover for Wheeler-McCammon's daily maintenance and operation of Motor Banks One and Two. Wheeler-McCammon maintained complete control over all aspects of the vault at Motor Banks One and Two, to the exclusion of other employees. The defendants made use of "cash in/out tickets" and "cash transit tickets" to conceal their scheme. The defendants also refused transfers and potential promotions so as to conceal their ongoing scheme. In order to conceal their scheme, it was necessary that the contents of the vault balance accurately. By using "cash in/out" and "cash transit tickets" the defendants were able to perpetuate the illusion that the funds they had stolen remained in the bank. This required record keeping and a running count of what was stolen.

In early 2002, a new reporting system detected discrepancies in the vault balances at the Main Branch and Motor Bank Two. An audit was initiated. In addition, a corporate security officer of Bank of America confronted the defendants with the discrepancies. Patrick ultimately confessed her involvement in the above described scheme. She indicated that she and Wheeler-McCammon began the scheme in 1979. She also admitted that she believed the total amount missing from both the Main and Motor Bank Two vaults would be approximately one million dollars. She believed that the Main vault over which she exercised more immediate control had \$439,000 in cash missing. When the security officer confronted Wheeler-McCammon, she stated that "I want to tell you what is going on...I am involved" but would say nothing more about her involvement.

This case was the result of an investigation by the Federal Bureau of Investigation and the cooperative efforts of Bank of America officials. Mark Lane, Chief of the Austin Division, prosecuted this case on behalf of the Government.

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